

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE MASSACHUSETTS INSTITUTE FOR A NEW
COMMONWEALTH,

Plaintiff,

v.

NICHE MEDIA HOLDINGS, LLC and NICHE MEDIA LLC,

Defendants.

Civil Action No.
05-10422 PBS

**ASSENTED-TO MOTION TO FURTHER ENLARGE TIME
TO RESPOND TO COMPLAINT**

Pursuant to Fed.R.Civ.P. Rule 6(b)(1), defendants hereby move, with assent, that the time for defendants to move, answer or otherwise respond to the complaint be further extended to and including May 19, 2005.

WHEREFORE, the parties having agreed to the foregoing schedule, defendants respectfully request that this assented-to motion be granted.

Respectfully submitted,

NICHE MEDIA HOLDINGS, LLC and
NICHE MEDIA LLC
By their attorneys,

/s/ Mark P. Szpak
Mark P. Szpak (BBO #546261)
ROPES & GRAY LLP
One International Place
Boston, MA 02110
(617) 951-7000

ASSENTED TO:

/s/ John L. Welch (by MPS)
Michael Boudett, (BBO 558757)
John L. Welch, (BBO 522040)
Foley Hoag LLP
World Trade Center West, 155 Seaport Boulevard
Boston, MA 02210-2600
617-832-1000

Date: May 12, 2005